Bill

Receive	ed:	10/29/2013	3			Received By:	mduchek	
Wanted	Wanted: As time permits				Same as LRB:	-3703		
For:		Legislative Reference Bureau				By/Representing:	Bruce Hoesly	
May C	ontact:					Drafter:	mduchek	
Subject: Administrative Law						Addl. Drafters:		
						Extra Copies:	GMM, JTK	
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Pre To	pic:							<u> </u>
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/2						sbasford 11/7/2013	srose 11/27/2013	

FE Sent For:

None Needed

<END>

Bill									
Receiv	red: 10	: 10/29/2013			Received By: mduchek				
Wante	d: As	As time permits			Same as LRB:				
For:	Le	gislative Refer	ence Bureau		By/Representing:	Bruce Hoesly			
May C	ontact:				Drafter:	mduchek			
Subjec	et: Ad	lministrative L	aw		Addl. Drafters:				
					Extra Copies:	GMM, JTK			
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FE Sent For:

<**END>**

Bill

Received: 10/29/2013

Received By:

mduchek

Wanted:

As time permits

Same as LRB:

For:

Legislative Reference Bureau

By/Representing: Bruce Hoesly

May Contact:

Drafter:

mduchek

Subject: Administrative Law

Addl. Drafters:

Extra Copies:

GMM, JTK

Submit via email:

Requester's email:

YES

Carbon copy (CC) to:

bruce.hoesly@legis.wisconsin.gov steve.miller@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Clarify definition of date of publication for purposes of rules

Instructions:

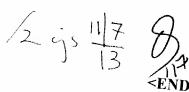
See attached

Drafting History:

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FE Sent For:



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Want	ed:	As time permits				Same as LRB:				
For:		Legislative Reference Bureau				By/Representing:	Bruce Hoesly	e Hoesly		
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State of Misconsin 2013 - 2014 LEGISLATURE



2013 BILL



AN ACT ...; relating to: the effective date of administrative rules promulgated by

state agencies (suggested as remedial legislation by the Legislative Reference

3 Bureau).

Analysis by the Legislative Reference Bureau

2013 Wisconsin Act 20 provides that, effective January 1, 2015, administrative rules promulgated by state agencies (rules) generally become effective on the first day of the month commencing after the date on which a Wisconsin Administrative Register (register) is published by the Legislative Reference Bureau (LRB). In addition, Act 20 requires the LRB to publish in the weekly register copies of all rules filed with the LRB since the compilation of the previous register and to publish in each end-of-month register updated chapters of the Wisconsin Administrative Code (code) that have been affected by rules filed with the LRB.

This bill clarifies that fules become effective on the first day of the month commencing after the date on which the LRB publishes the rule in the register in the updated chapters of the code that have been affected by rules filed with the LRB.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Law Revision Committee Prefatory Note: This bill is a remedial legislation proposal, requested by the Legislative Reference Bureau (LRB) and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration

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BILL

of the provision in the bill, the Law Revision Committee has determined that this bill makes a minor substantive change in the statutes, and that this change is desirable as a matter of public policy.

SECTION 1. 227.22 (1) of the statutes, as affected by 2013 Wisconsin Act 20, is

2 amended to read:

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227.22 (1) In this section, "date of publication" means the date on which a

register rule is published in the code as required under s. 35.93 (2) (c) 1.

NOTE: NOTE: Sub. (1) is shown as amended eff. 1-1-15 by 2013 Wis. Act 20. Prior to 1-1-15 it reads: NOTE:

(1) In this section, "date of publication" means the first date on which an issue of the register is mailed to any person entitled under s. 35.84 to receive it.

Note: Currently, the Wisconsin Administrative Register (register) is distributed in print form. Administrative rules, as filed with the LRB, are not published in full in the register and are only published in the register as incorporated into the relevant updated chapters of the Wisconsin Administrative Code (code) that were affected by the filed rule. Effective January 1, 2015, the register will be published electronically and rules will be published in the register in two forms, once in the form filed by an agency with the LRB and again when incorporated into the affected code chapters. This bill clarifies that, as is the case currently, the date of publication of the code chapters is the relevant date for purposes of the general effective date of rules. This change is consistent with the law prior to Act 20 and current law and practice.

SECTION 2. Effective date.

(1) This act takes effect on January 1, 2015.

Note: The changes in Act 20 do not take effect until January 1, 2015. Therefore, a delayed effective date of January 1, 2015, is included in this bill as well.

8 (END)



THUR AM State of Misconsin 2013 - 2014 LEGISLATURE



2013 BILL

dates of and dates of hearing notices form

(Deg)

AN ACT to amend 227.22 (1) of the statutes; relating to: the effective date of

administrative rules promulgated by state agencies (suggested as remedial legislation by the Legislative Reference Bureau).

Analysis by the Legislative Reference Bureau

2013 Wisconsin Act 20 provides that, effective January 1, 2015, administrative rules promulgated by state agencies (rules) generally become effective on the first day of the month commencing after the date on which a Wisconsin Administrative Register (register) is published by the Legislative Reference Bureau (LRB). In addition, Act 20 requires the LRB to publish in the weekly register copies of all rules filed with the LRB since the compilation of the previous register and to publish in each end-of-month register updated chapters of the Wisconsin Administrative Code (code) that have been affected by rules filed with the LRB.

This bill clarifies that a rule becomes effective on the first day of the month commencing after the date on which the LRB publishes in the end-of-month register the updated chapters of the code that have been affected by the rule.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Analysis)

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Law Revision Committee Prefatory Note: This bill is a remedial legislation proposal, requested by the Legislative Reference Bureau (LRB) and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration

BILL

provisions of the

These charges are MED:

of the bill, the Law Revision Committee has determined that this bill makes a minor substantive change in the statutes, and that this change is desirable as a matter of public policy.

SECTION 1. 227.22 (1) of the statutes, as affected by 2013 Wisconsin Act 20, is amended to read:

227.22 (1) In this section, "date of publication" means the date on which a register rule is published in the code as required under s. 35.93 (2) (c) 1.

Note: Currently, the Wisconsin Administrative Register (register) is distributed in print form. Administrative rules, as filed with the LRB, are not published in full in the register and are only published in the register as incorporated into the relevant updated chapters of the Wisconsin Administrative Code (code) that were affected by the filed rule. Effective January 1, 2015, the register will be published electronically and rules will be published in the register in two forms, once in the form filed by an agency with the LRB and again when incorporated into the affected code chapters. This bill clarifies that, as is the case currently, the date of publication of the code chapters is the relevant date for purposes of the general effective date of rules. This change is consistent with the law prior to Act 20 and current law and practice.

SECTION 2. Effective date.

(1) This act takes effect on January 1, 2015.

NOTE: The changes in Act 20 do not take effect until January 1, 2015. Therefore, a delayed effective date of January 1, 2015, is included in this bill as well.

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(END)

2013-2014 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

Also under current law trop under Act 20, subject to timited exceptions, rule making by an agency must be preceded by a notice and public hearing. The notice must, under current law, be given at least (0) days prior to the date set for a hearing, and notice through the register is considered to have been given on the "effective date" of the issue of the register in which the notice first appears.
The bill also clarifies that notice through the register is considered to have been given on the publication date of the issue of the register in which the notice first appears.
Insert 2–1
SECTION 1. 227.17 (2) of the statutes, as affected by 2013 Wisconsin Act 20, is
amended to read:
227.17 (2) The notice under sub. (1) shall be given at least 10 days prior to the
date set for a hearing. Notice through the register is considered to have been given
on the effective date of that the issue of the register in which the notice first appears
is published under s. 35.93 (2). Current by considering to have been given
(2) The notice under sub. (1) shall be given at least 10 days prior to the date set for a hearing. Notice through the register is considered to have been given on the ctive date of the issue of the register in which the notice first appears, or, if applicable, on the date prescribed under s. 227.22 (4). [Istory: 1985 a. 182; 1985 a. 332 s. 253; 1987 a. 253; 1995 a. 106: 2003 a. 145; 2005 a. 249; 2007 a. 20; 2011 a. 21; 2013 a. 20; ****NOTE: Clarifies an ambiguity in existing law regarding the date is the date the register is published by the LRB. Current law refers to the "effective date of [a] register" which is not defined or otherwise explained in current law.

Change to

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